UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: CRAIG BRADLEY DEIMLER and : CHAPTER 13

WILLIAM OLIVER FISHER-DEIMLER:

Debtors

JACK N. ZAHAROPOULOS

VS.

STANDING CHAPTER 13 TRUSTEE

Movant

:

CRAIG BRADLEY DEIMLER and

WILLIAM OLIVER FISHER-DEIMLER:

Respondents : CASE NO. 1-20-bk-00841

TRUSTEE'S OBJECTION TO AMENDED CHAPTER 13 PLAN

AND NOW, this 28th day of July, 2023, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

- 1. Debtor(s)' plan violates 11 U.S.C. § 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, the debtor has excess non-exempt equity in the following:
 - a. Residential real estate. The Trustee has requested proof of the value of the debtors' home as stated in their schedules. Need Listing Agreements for real estate to be sold in the Fifth Amended Plan.
- 2. The Trustee avers that debtor(s)' plan is not feasible based upon the following:
 - a. The plan is inconsistent with Proofs of Claims filed and/or approved by the Court. No Proof of Claim for Harrisburg School District/City of Harrisburg.
 - b. Plan ambiguous Payment. Amount to pay on arrears to Allegro Credit is ambiguous no amount provided in plan.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

Jack N. Zaharopoulos Standing Chapter 13 Trustee 8125 Adams Drive, Suite A Hummelstown, PA 17036 (717) 566-6097

BY: /s/Douglas R. Roeder
Attorney for Trustee

CERTIFICATE OF SERVICE

AND NOW, this 28th day of July, 2023, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Gary Imblum, Esquire 4615 Derry Street Harrisburg, PA 17111

/s/Deborah A. DePalma
Office of Jack N. Zaharopoulos
Standing Chapter 13 Trustee4